IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

	)	2 CA-JV 2006-0052
	)	DEPARTMENT A
	)	
IN RE CARLOS M.	)	MEMORANDUM DECISION
	)	Not for Publication
	)	Rule 28, Rules of Civil
	)	Appellate Procedure

APPEAL FROM THE SUPERIOR COURT OF COCHISE COUNTY

Cause No. JV2004000121

Honorable Ann R. Littrell, Judge

AFFIRMED

Harriette P. Levitt — Tucson
Attorney for Minor

P E L A N D E R, Chief Judge.

¶1 The minor appellant, Carlos M., was first adjudicated delinquent in February 2006, based on his admissions to two felony counts—third-degree burglary and aggravated shoplifting—and one misdemeanor shoplifting charge. He was placed on juvenile intensive probation supervision (JIPS) for twelve months in May 2006. Within months, two petitions to revoke probation were filed, collectively alleging Carlos had violated the conditions of his probation eight times during the months of June and July 2006. Carlos separately

admitted one allegation in each petition, and the juvenile court found him in violation of his probation. At a disposition hearing on September 5, 2006, the juvenile court entered the order from which Carlos appeals.

¶2 Counsel has filed a brief citing *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396 (1967); *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969); and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), which also apply to delinquency proceedings. *See In re Maricopa County Juvenile Action No. JV-117258*, 163 Ariz. 484, 486, 788 P.2d 1235, 1237 (App. 1989). Counsel states she has thoroughly reviewed the record without finding an arguable issue for appeal and asks us to search the record for error.

¶3 The record reflects that, before reaching its disposition decision, the juvenile court had first considered the available alternatives and all relevant facts and, thus, did not abuse its discretion. *See generally In re Themika M.*, 206 Ariz. 553, ¶ 5, 81 P.3d 344, 345 (App. 2003) (juvenile court has broad but not unlimited discretion to determine proper disposition of delinquent juvenile); *In re Niky R.*, 203 Ariz. 387, ¶ 10, 55 P.3d 81, 84 (App. 2002) (reviewing court will alter disposition order only for abuse of discretion). In fact, the juvenile court here continued the disposition hearing from its originally scheduled date because it had not yet received the results of a court-ordered, "psycho-educational" evaluation to which Carlos belatedly submitted only after being detained.

¶4 The court's ultimate disposition order took into account the results of that evaluation and the probation department's recommendation of a "behavioral modification

placement, such as Canyon State Academy," which could provide educational support, accountability skills, and social skills "necessary for [Carlos] . . . to be able to learn structure and set boundaries that will assist him in his substance abuse rehabilitation process." The court believed Carlos needed to acquire those skills first in order to benefit from substance abuse treatment or participate successfully in drug court, given his "severe" drug problem "and his chronic use" of drugs.

¶5 The record conclusively shows the juvenile court's disposition order was not arbitrary, capricious, or an abuse of the court's discretion. Having reviewed the record in its entirety pursuant to our obligation under *Anders* and having found no fundamental error, we affirm the juvenile court's orders of adjudication and disposition.

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JOHN PELANDER, Chief Judge

CONCURRING:

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JOSEPH W. HOWARD, Presiding Judge

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GARYE L. VÁSQUEZ, Judge